

### **REMARKS/ARGUMENTS**

In the Office Action mailed March 3, 2008 (hereinafter, "Office Action"), claims 1, 5-17 and 19-30 stand rejected under 35 U.S.C. § 103. Claims 1, 16, 23, 26 and 28 have been amended.

Applicant respectfully responds to the Office Action.

#### **I. Claims 1, 5-17 and 19-30 Rejected Under 35 U.S.C. § 103(a)**

Claims 1, 5-17 and 19-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,519,048 to Tanaka et al. (hereinafter, "Tanaka") in view of U.S. Patent No. 6,469,796 to Leiman et al. (hereinafter, "Leiman") and further in view of U.S. Patent No. 7,113,298 to Mochizuki (hereinafter, "Mochizuki"). This rejection is respectfully traversed.

The factual inquiries that are relevant in the determination of obviousness are determining the scope and contents of the prior art, ascertaining the differences between the prior art and the claims in issue, resolving the level of ordinary skill in the art, and evaluating evidence of secondary consideration. (KSR Int'l Co. v. Teleflex Inc., 550 U.S. \_\_\_, 2007 U.S. LEXIS 4745, at \*\*4-5 (2007) (citing Graham v. John Deere Co. of Kansas City, 383 U.S. 1, 17-18 (1966))). To establish a *prima facie* case of obviousness, the prior art references "must teach or suggest all the claim limitations." (M.P.E.P. § 2142). Moreover, the analysis in support of an obviousness rejection "should be made explicit." (KSR, 2007 U.S. LEXIS 4745, at \*\*37). "[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." (Id. (citing In re Kahn, 441 F.3d 977, 988 (Fed. Cir. 2006))).

Applicant respectfully submits that the claims at issue are patentably distinct from the cited references. The cited references do not teach or suggest all of the subject matter in these claims.

Claim 1, as amended, recites "receiving the status message by the computer system, the status message indicating that the imaging job has been completed." This amendment is supported by at least paragraph [21] of Applicant's specification. Claim 1 also recites that this status message, which indicates that the job has been completed, is "verif[ied] by the computer system, that the imaging job

of the status message originated on the computer system, wherein the status message is ignored if it is not verified, wherein the status message is processed if it is verified.” This amendment is, again, supported by at least paragraph [115] of Applicant’s specification.

The Office Action asserts that this step is not performed by Tanaka or Leiman. Rather, the Office Action relies upon Mochizuki to allegedly teach this element. However, Mochizuki (as best understood) teaches that the computer system waits for a response packet from a printer and then “verifies” this packet. See Mochizuki, Col. 9, lines 37-49. Mochizuki further explains that:

[a]fter internal fetching of the response packet from the printer in step S8, a check is made of the print possible/impossible information set in the response packet in step S9. If it recognizes that the print is feasible, then that printer is selected as a printer for use in the actual printing operation is step S10. On the contrary, if it recognizes that the print possible/impossible information set in the response packet indicates that the print is infeasible, then the procedure returns from step S9 to S5 to again wait for response packet receipt.

*Id.* at Col. 9, lines 51-60. Thus, to the extent that Mochizuki teaches “verifying” and/or “ignoring” an unverified status message, such processes occur before the print job is executed. This is not the same as Applicant’s claim which requires verification of a status message that indicates that the image job has already been completed.

In view of the foregoing, Applicant respectfully submits that claim 1 is patentably distinct from the cited references. Accordingly, Applicant respectfully requests that the rejection of claim 1 be withdrawn because Tanaka, in combination with Leiman and Mochizuki, does not teach or suggest all of the subject matter of claim 1.

Claims 5-15 depend either directly or indirectly from claim 1. Accordingly, Applicant respectfully requests that the rejection of claims 5-15 be withdrawn.

Claims 16, 23, and 26 have been amended similarly. Accordingly, Applicant respectfully requests that the rejection of claims 16, 23, and 26 be withdrawn because Tanaka, alone or in combination with Leiman and Mochizuki, does not teach or suggest all of the subject matter of claim 16, 23 and 26. Claims 17 and 19-22 depend either directly or indirectly from claim 16. Claims 24-

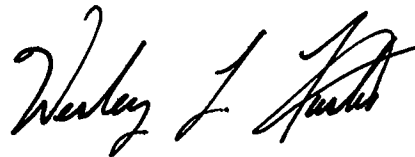
Appl. No. 10/602,419  
Amdt. dated May 23, 2008  
Reply to Office Action of March 3, 2008

25 depend either directly or indirectly from claim 23. Claims 27-30 depend either directly or indirectly from claim 26. Accordingly, Applicant respectfully requests that the rejection of claims 17, 19-22, 24-25, and 27-30 be withdrawn.

## **II. Conclusion**

Applicant respectfully asserts that all pending claims are patentably distinct from the cited references, and requests that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Wesley L. Austin". The signature is fluid and cursive, with the first name "Wesley" being the most prominent.

/Wesley L. Austin/

---

Wesley L. Austin  
Reg. No. 42,273  
Attorney for Applicant

Date: May 23, 2008

MADSON & AUSTIN  
15 West South Temple, Suite 900  
Salt Lake City, Utah 84101  
Telephone: (801) 537-1700